Electronic Comments for Manure Management Task Force
Affiliation listed where known

Presser, Dennis W DATCP

From: Castelnuovo, Richard M DATCP
Sent: Friday, November 18, 2005 4:15 PM
To: Presser, Dennis W DATCP
Subject: FW: Manure Management Task Force Recommendations

Dennis,

You are listed at the person who will collect comments for MMTF listening session. Please consider this as your first comment. All comments should be filed under the heading Information Hearing in the Task Force directory.

Richard

From: Amrhein, James F. [mailto:James.Amrhein@dnr.state.wi.us]
Sent: Friday, November 18, 2005 1:58 PM
To: Heaton-Amrhein, Jennifer A DATCP; Jelinski, Dave DATCP; Castelnuovo, Richard M DATCP; Presser, Dennis W DATCP; VandenBrook, Jim P DATCP; Odgers, Ed J DATCP
Cc: Stevenson, Gordon R.
Subject: RE: Manure Management Task Force Recommendations

What interesting pillow-talk we have, eh?

The draft recommendations call for: DNR and DATCP "to improve data collection, tracking, and reporting of runoff events" and "explore the potential for using a common process for conducting investigations of manure runoff incidents".

I believe the first part of that process would be to identify who we can call in the event we have a manure runoff incident, spill, etc. When things happen on these events, they happen fast and we're usually running around trying to ascertain the extent of the situation while contacting our own people. We have a list of contact people put together for our purposes. Someone from DATCP should be on that list.

I've already mentioned this to Gordon via e-mail so perhaps you all could hash it out as you see fit, but before the end of winter.

Jim

Jim Amrhein
Watershed Specialist
Grant-Platte and Sugar-Pecatonica Basins
DNR - South Central Region
Phone: 608-275-3280

From: Heaton-Amrhein, Jennifer A DATCP [mailto:Jennifer.Heaton-Amrhein@DATCP.state.wi.us]
Sent: Friday, November 18, 2005 1:48 PM
To: Jelinski, Dave DATCP; Castelnuovo, Richard M DATCP; Presser, Dennis W DATCP; VandenBrook, Jim P DATCP; Odgers, Ed J DATCP
Cc: Amrhein, James F.
Subject: Manure Management Task Force Recommendations

My husband, a water quality biologist at South Central Region DNR, recently read the manure task force recommendations and had a suggestion that is missing from the list. His suggestion is that DATCP identify a "point person" for DNR field staff to contact in case of a manure event. This would improve communication between DATCP and DNR on manure management issues and ensure a coordinated response.

When I was thinking about his suggestion, I thought the Toxic Response System used by the Ag Chem Bureau might be an appropriate model that could be modified for manure events. The Toxic Response System has very specific points of contact and procedures, and also has people on call 24 hours. If, for example, Jim VB was designated the contact person, he would get the information from the DNR animal waste investigator and then make additional DATCP contacts as needed for a coordinated, timely response. That might include contacting Ed to assign a field engineer, or deploying central office staff to visit the site. Potentially, this could also require some inter-bureau cooperation with Duane's or Dave's sections.

Anyway, that's a real-life, practical suggestion from somebody at our counterpart agency who deals with this stuff every day. Do with it what you will.

Jenni

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jennifer.heaton-amrhein@datcp.state.wi.us
Livestock Siting Program Manager

Department of Agriculture, Trade, and Consumer Protection
Agricultural Resource Management Division
P.O. Box 8911
Madison, WI 53708-8911
608-224-4613 (phone)
608-224-4615 (fax)

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From: Shawn Esser [sbesser@mail.co.marathon.wi.us]
Sent: Wednesday, October 26, 2005 2:55 PM
To: richard.castelnuovo@datcp.state.wi.us; steveg@dnr.state.wi.us
Subject: MMTF

Gordon and Rich,
I had some comments with regards to utilizing idle manure storage facilities to "rescue" those farmers that did not plan properly and have insufficient storage to get them through critical periods.
When you are thinking about this keep in mind the logistics, associated legal liabilities,and whether or not it is financially reasonable for the farmer to do this.
It is the opinion of Marathon County that once all of these issues have been thoroughly thought through , reasonable people ought to agree that this is a very poor, short-term solution to insufficient storage capacity. The environmental and legal liabilities, the contractural necessities, the transfer issues, and the handling issues all come with incredible risks. NR243 already has language in it that would allow CAFO's to utilize such facilities in emergency situations. If at that point you feel it still needs to be discussed, here are a few issues that should be taken into consideration:
1) The 313 standard was just revised so there may not be many pits that would meet current standards.
2) Marathon County is currently working on an inventory of manure storage facilities in the county. We have identified over 500 facilities of which approximately half are idle. Most of these idle facilities still have manure in them.
3) If the earthen facilities are emptied and sit idle for a period of time will the soil crack from the drying process and allow added manure to infiltrate easier?
4) If allowed this should only apply to permitted facilities where a plan is available.
5) All manure must be accounted for in the operators nutrient management plan.
6) Soil borings and an inspection by an engineer or county staff should be required to certify the integrity of the structure.
If you have questions about these issues, please let me know.
Thanks.

Shawn Esser
Conservation Specialist II
Marathon County CPZ
210 River Dr.
Wausau, WI 54403
Ph. (715)-261-6010
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sbesser@mail.co.marathon.wi.us
(715)261-6010

Presser, Dennis W DATCP

From: Steve Carpenter [srcarpen@wisc.edu]
Sent: Saturday, December 03, 2005 11:15 PM
To: dennis.presser@datcp.state.wi.us
Subject: comment to manure management task force

Dear Mr. Presser,

Although I am traveling in China as part of a technology exchange on water quality management, I hope that I can email a comment about Wisconsin's manure management task force. It is interesting to contemplate the differences between Wisconsin and China in this regard. China is determined to avoid the mistakes that others have made in water quality management, and the Chinese have been eager to hear my advice about phosphorus management.

With respect to the manure task force, I wish to make the following points.

(1) Phosphorus based nutrient management plans are necessary for all farms. Commercial phosphorus should be used for crops only where soil tests show the need, or the nutrient is truly needed by the animals, considering all other inputs. In particular, feed supplements for dairy cattle should not contain added phosphorus; it is not necessary and causes great harm to the environment.

(2) The nutrient management plans should require training for people who haul or spread manure.

(3) Nutrient management plans should pay particular attention to manure spreading. Manure should not be spread on frozen ground except where slopes and drainage patterns assure that it will not reach surface waters. Liquid manure is much more mobile during a thaw than solid manure and needs more restrictive spreading

If you have questions about my comments, please feel free to email, or call after 12 December when I will be back in Wisconsin.

Sincerely yours,

Steve Carpenter

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Dr. Stephen R. Carpenter

S. A. Forbes Professor of Limnology
Center for Limnology
680 North Park Street
University of Wisconsin

Madison, Wisconsin 53706 USA

email srcarpen@wisc.edu tel 608.262.8690 fax 608.265.2340

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Presser, Dennis W DATCP

From: Energy Unlimited Inc [energyun@energyunlimited.com]
Sent: Monday, December 05, 2005 10:29 AM
To: dennis.presser@datcp.state.wi.us
Subject: New manure handling technology

Dennis,
We have designed a manure drying and burning system that can dry 70% moisture manure down to 5%.It does not matter if the farm beds with sand or shavings.We can even separate the dry sand for reuse.Lab results have shown all disease killed after the manure has gone through the dryer.
They are rebedding with a portion of the dry material and using the rest for fuel with the furnace. This furnace burns 100% manure no propane or natural gas is needed.We have this system installed at Van Der Geest Dairy in Wausau. It has been operational for 3 months now. We believe that this may be a cost effective way for farmers to handle there manure issues and since this is new technology we are trying to spread the word. Anything we can do to help feel free to call or e-mail.
Manure burner and dryer <http://www.energyunlimitedinc.com/manure.html>
John Lundell
Energy Unlimited Inc
Dodgeville WI 53533
PH# 608-935-9119
cell# 608-778-6882
energyun@energyunlimited.com

Presser, Dennis W DATCP

From: Matthew Norem [mattnorem@yahoo.com]
Sent: Wednesday, December 07, 2005 11:08 AM
To: dennis.presser@datcp.state.wi.us
Subject: manure runoff hearings

Dennis -

Upon a quick review of the recommendations, unless I missed it, there is funding gap to implement the many good ideas that are presented. There also seems to be mindset toward the small family farmer, rather than the larger culprit of the corporate farm.

It is easy to tell a farmer not to spread manure in winter, however, what are they supposed with the accumulation? Frozen fields create is an excellent time to get out there and spread, without getting stuck. I believe we need to think more creatively.

the to critical elements I see missing are:
1) what to do with the manure, from these ever increasingly large corporate farms?
2) where's the source of funding?

I believe there are ideas out there that might make some sense:
There was federal funding funding available for the implementation of alternative energy systems. It may be worth checking into. Specifically, implement a bio gas, or manure drying process.
a) source of heating fuel, or to drive generators for electricity? This idea could be used either on individual farms or hauled away for commercial use? New industry idea?
b) dried manure as a source of fertilizer for sale for the horticulture and home/garden markets.

Let's create a resolution to the problem, not just the fix for the symptom of manure spills. On a small farm basis, I can see law mandated buffer zones / wooded tree lines required near waterways, to both prevent drainage into the water, and also to cool the water. However, the small farm is being replaced by fewer, larger farms, with an entirely larger scale problem to address.

Matthew Norem
960 Hilly Haven Ct.
Green Bay, WI 54311

Presser, Dennis W DATCP

From: Amanda Holly Bell [ahbell@usgs.gov]
Sent: Thursday, December 08, 2005 9:18 AM
To: dennis.presser@datcp.state.wi.us
Subject: Dec 15 th meeting times

Hello,

I am a Hydrologist at the USGS in Middleton and I just received the notification about the Manure Management Task Force public meetings that are being held on Dec 15th around the state. As a water professional and the daughter of a farmer, it concerns me that the meeting time in Manitowoc County is from 4-7. My family's farm is in Sheboygan county and I would encourage my father to attend, however this meeting falls directly on top of evening milking time. Most of the farms that I can think of, begin evening milking right around that time. If your group would like to reach the farmers that you are concerned about, the 11-2 session would be far easier to attend for the farmers. Thank-you for your time.

Cordially,
Amanda Bell

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Amanda H Bell
Hydrologist (Bio)
USGS Wisconsin Water Science Center
8505 Research Way
Middleton, WI 53562
Phone: 608-821-3882
Fax:608-821-3817
Cell: 608-572-0731

Presser, Dennis W DATCP

From: Robert Klokner [rklokner@netwurx.net]
Sent: Saturday, December 10, 2005 9:58 AM
To: dennis.presser@datcp.state.wi.us
Subject: manure is happening at Lake Emily

Very timely subject, Our lake is still in the throws of recovering from one million gallons of liquid manure that was applied in spring to farm land adjacent to the lake. Just to comment on why haulers need training, the people that hauled said liquid manure forgot to close the valves prior to exiting the field allowing it to drip all over the roadway. If you happened to drive over that road you would have to wash down your car before parking in the garage. The smell was making the local residence ill.

Aside from having Lake Emily being choked out by an over abundance of weeds, our well water has an unhealthy amount of Nitrates now. Nitrate removal is very difficult, we cannot find a filtration system that will guarantee results.

I am surprized the word Digester has not come up. In the old days most farmers had approx. 35 head of cattle on a farm of around 100 acres. That would mean todays farmer would need approx. 3 acres of land for each cow in his barn. If they are unable to provide that much land per cow then I would suggest that Digesters be mandated.

Dr. Brian Holmes of the Dept. of Biological Systems Engineering in the College of Agriculture & Life Sciences at UW-Madison is very knowledgeable on the subject of manure digesters. It would be wonderful and perhaps very enlightening to have his input at your meeting.

This is a very serious problem, it's not going to get better unless we clean it up NOW. I do thank everyone involved in this program for there hard work and dedication.

Very Sincerely,
Robert Klokner

Presser, Dennis W DATCP

From: april jordan [little_angel_gurl159@hotmail.com]
Sent: Saturday, December 10, 2005 6:31 PM
To: dennis.presser@datcp.state.wi.us
Subject: manure management task force

To whom it may concern,

I'm writing in regards to your task force on manure management. I'm a small hog farmer in Dodge County, with 110 sows, farrow to finish. We spread 30,000 gallons of liquid manure on frozen ground every five to six weeks. At the time of construction of our farm, Dodge County told me that the farm was not a polluter, so I was ineligible for any type of finance assistance in manure storage or management. Now with the new incidences that happened because of large corporation farms it sounds like the laws that you're trying to implement will effect everyone as well as the small generator. I hope that you take into consideration the small amount of manure that is produced by small farms. If the state does not finance and fund the expensive set up, at least give us exemption from the big permits and costs of building a large manure storage unit. Because there is little profit margins the way it is, my wife and I still have to work off the farm to make ends meet. The hogs do not generate enough profit to take on the expense of a new manure system. If the state would enforce most of the manure management already made for larger farms, they wouldn't have the incidents that they're having. If you don't have an animal unit requirement, I do think a total gallon of storage requirement would help. With my Hog operation, we have realized that we won't get any assistance from the Pork Producers Association, because they are inline with the corporation farms. I hope the state of WI, doesn't force more small farmers out of business, like they have in the past with rules and regulations that are over burdening on the financial structure of a small farm. Its hard to believe that there isn't a farmer in Dane County that's suing over the implementation of the amended manure ordinance and that they don't have any financial recourse from the county. Feel free to contact me if you have any questions or if you would like to hear my thoughts on any other matters. I can be reached at (920) 885-5642-home or 1-608-577-7436-cell or W10699 CTY CC Beaver Dam, WI 53916.

December 11, 2005

Dennis Prosser
DATCP
P.O. Box 8911
Madison, WI 53708-8911

Re: Manure Management Task Force

Mr. Prosser

The Manure Management Task Force has obviously put a lot of time and effort into their recommendations. As noted in the release, a few times the committee was not able to come to a full agreement; this shows just how complex this matter can be.

One comment was made about barriers that prevent farmers from adapting these practices. Many farmers I speak to are concerned that their record keeping can or will be used against them. Another concern they have is the cost of implementation, will this extra cost make the Wisconsin Dairy Farmer less competitive with his neighboring states? I understand that there is money available to the farmer to get started, but what about upkeep. Farmers often ask, what will happen to them if they don't annually update their nutrient management plans after their cost share money is gone. You tell them it is state law, or that it will help them spot and correct a problem, and that the plan might even help them should a problem occur. But, you get the impression that they will worry about it later.

Environmental Management Systems (EMS) is mentioned as a way to help prevent whole farm pollution problems. Two comments, in Michigan a farmer is protected from frivolous lawsuits if they maintain their GAAMP (Generally Accepted Agricultural Management Practices) which are similar to an EMS. Could this be used as a 'carrot' to help farmers maintain their plans. Second, can these EMS parallel the USDA's Comprehensive Nutrient Management Plans? By avoiding 2 sets of guidelines for compliance will make it easier for farmers to comply.

It is recommended that large and medium size farms go through the same training as the custom applicator. How will medium farms be defined? Should small farms go through some type of training based on their manure handling system?

As noted above, there should be just one set of rules. I understand the need for local involvement, but farmers and the consultants they rely on will get confused if one field has one set of rules and another field in another county has another set. The variations from county to county must be kept to a minimum, to avoid confusion and to make it easier for farmers to comply.

Thank-you for this opportunity.

Don Schmidt
Agronomist
AgVentures, LLC
123 MacArthur Drive
Coleman, WI 54112

Presser, Dennis W DATCP

From: Gina Steinke [birdiesgirls@powerweb.net]

Sent: Tuesday, December 13, 2005 3:05 PM

To: dennis.presser@datcp.state.wi.us

Subject: Manure Management Task Force Public Comments

DATCP
ATTN: DENNIS PRESSER
P.O. Box 8911
Madison WI 53708-8911

Mr. Presser,

My name is Gina Steinke. My husband and I and our three children live at W5583 Highway S, Juneau WI 53039. On February 10, 2005, our private well was found to be contaminated with extremely high concentrations of Ecoli bacteria and total Coliform bacteria. Within days, it was discovered that ours was not the only one in Dodge County. There were 2 other wells just west of Juneau that were also contaminated. As all 3 of us homeowners' properties are surrounded by farm fields owned and/or leased by Nehls Bros. Farms, Ltd. it was a highly probable assumption that the contaminations were the result of this farm operations overspreading both liquid and solid manure on these fields.
The DNR sampled all 3 wells and found all 3 to contain high concentrations of Ecoli and Coliform bacteria. Our well was so contaminated that when the DNR agent came in to the house to draw a sample from the basement well tap, he was convinced even without testing, that the source of our contamination was definitely manure. We were told by DNR officials that we would have to drill a new well, and 14 long days and $11,723.30 later, we again had running water in our house.
We have not been reimbursed one penny of the expenses we had to incur, and can never be "reimbursed" for the exhaustive, emotionally draining, and seemingly neverending battle we have fought so far.

We are only private citizens, trying to raise our 3 children to be happy, healthy individuals who will one day grow up to be responsible, law abiding citizens themselves. Therefore, I urge you to do everything in your power to assure that what happened to our family never happens to another family again. We would like to see that absolutely NO manure, be it liquid or solid, is allowed to be spread on frozen or snow-covered ground. It is our opinion that the current and even the proposed manure spreading regulations are woefully inadequate to properly protect the public from future well contaminations from occurring. Currently, the State of WI, DNR writes the WPDES permits that allow large farm operations such as Nehls Bros. Farms, Ltd. to "manage" their manure, but it is our opinion that these permits are virtually usesless when it comes time for enforcement action. Nehls Bros. Farms, Ltd. violated many areas of their permit, and as of today, have not been fined a penny. Meanwhile, my husband and I were forced to take out a home equity loan to cover the almost $14,000 in costs we have incurred.

We find absolutely no justice in that, and sincerely hope something will be done!!

Thank you,
Gina M. Steinke

Presser, Dennis W DATCP

From: Gina Steinke [birdiesgirls@powerweb.net]

Sent: Tuesday, December 13, 2005 7:23 PM

To: dennis.presser@datcp.state.wi.us

Subject: Re: Manure Management Task Force Public Comments

OPEN LETTER TO MANURE MANAGEMENT TASKFORCE

My name is Gina Steinke. My husband and I and our three children live at W5583 Highway S, Juneau WI 53039.
On February 10, 2005, our private well was found to be contaminated with extremely high concentrations of Ecoli bacteria and total Coliform bacteria. Within days, it was discovered that ours was not the only one in Dodge County. There were 2 other wells just west of Juneau that were also contaminated. As all 3 of us homeowners' properties are surrounded by farm fields owned and/or leased by Nehls Bros. Farms, Ltd. it was a highly probable assumption that the contaminations were the result of this farm operations overspreading both liquid and solid manure on these fields.
The DNR sampled all 3 wells and found all 3 to contain high concentrations of Ecoli and Coliform bacteria. Our well was so contaminated that when the DNR agent came in to the house to draw a sample from the basement well tap, he was convinced even without testing, that the source of our contamination was definitely manure.
We were told by DNR officials that we would have to drill a new well, and 14 long days and $11,723.30 later, we again had running water in our house.
We have not been reimbursed one penny of the expenses we had to incur, and can never be "reimbursed" for the exhaustive, emotionally draining, and seemingly neverending battle we have fought so far.

We are only private citizens, trying to raise our 3 children to be happy, healthy individuals who will one day grow up to be responsible, law abiding citizens themselves. Therefore, I urge you to do everything in your power to assure that what happened to our family never happens to another family again. We would like to see that absolutely NO manure, be it liquid or solid, is allowed to be spread on frozen or snow-covered ground. It is our opinion that the current and even the proposed manure spreading regulations are woefully inadequate to properly protect the public from future well contaminations from occurring. Currently, the State of WI, DNR writes the WPDES permits that allow large farm operations such as Nehls Bros. Farms, Ltd. to "manage" their manure, but it is our opinion that these permits are virtually usesless when it comes time for enforcement action. Nehls Bros. Farms, Ltd. violated many areas of their permit, and as of today, have not been fined a penny. Meanwhile, my husband and I were forced to take out a home equity loan to cover the almost $14,000 in costs we have incurred.

We find absolutely no justice in that, and sincerely hope something will be done!!

Thank you,
Gina M. Steinke

Presser, Dennis W DATCP

From: Terry Busse [twasinc@lakefield.net]
Sent: Wednesday, December 14, 2005 6:56 AM
To: dennis.presser@datcp.state.wi.us
Subject: Comments for this evenings meetings.

Dennis,

My name is Terry Busse from Manitowoc. I am the Vice President of the Manitowoc County Fish and Game Protective Association. I think that the membership and the board of directors of the organization will agree with the comments I am about to make.

First of all I applaud the task force for the work you have done concerning manure management. As you know in Manitowoc county this has been a real problem. Last year alone I can remember fish kills and well contaminations right in the county. The spill at Fisher Creek in the southern part of the county destroyed one of our only self sustainable native trout populations in the area. Not only is the initial impact of the spill devastating to the resource but it has been found that the long term effects can also be troublesome. The constant release of phosphorus can go on for years.

I have been very involved with the clean up on Silver Lake right outside of the city of Manitowoc and have seen what years of nonpoint pollution does to a waterway. Silver Lake was considered one of the most polluted lakes in the state from nonpoint phosphorus loading. Due to the efforts of many persons and agencies in the local area that lake is now rebounding very well.

The plans that you bring to the table concerning manure handling need to be put into force as soon as possible to stop any more unwanted damage to our environment. I am sure these measures will demand a lot of work from persons in your department, the DNR, county agencies and the farmers themselves but it is agreed that something needs to be done and the time to do it is now!

Thank you for your efforts toward a better environment and good luck with your meetings.

Sincerely,
Terry J. Busse
Manitowoc County Fish and Game Protective Association

Lake Sinissippi Improvement District
PO Box 89
Hustisford, WI 53034

December 13, 2005

Dennis Presser
Wisconsin Department of Agriculture,
Trade and Consumer Protection
PO Box 8911
Madison, WI 53708-8911

Re: Manure Management Task Force
Public Comments

Dear Mr. Presser:

Lake Sinissippi Improvement District is an inland lake protection and rehabilitation district established by Dodge County. Our lake is on the federal EPA 303(d) list of impaired waters due to nutrient enrichment and sedimentation from cropland erosion and other nonpoint source pollution. The Rock River is the major tributary of the lake. It drains a large watershed, which is primarily agriculture, into the Horicon Marsh and then into Lake Sinissippi. The river provides 65% of the water budget of the lake and contributes over 90% of the phosphorus load. High phosphorus levels in the lake are responsible for undesirable algae growth and other water quality impairments.

Our water quality monitoring program has detected excessive levels of fecal coliform and E. coli bacteria in tributary waters. The fecal contamination sources have been identified as field runoff of land-spread animal manure by area farms, two of which are WPDES-permitted dairy farms. We have worked with Wisconsin Department of Natural Resources and Dodge County Land Conservation Department in these matters.

Lastly, our lake was negatively impacted last February by contamination of private wells that was traced to dairy manure infiltration into underground aquifers. Several of the contaminated wells are located less than one-half mile from the lake and the aquifers are part of the lake water inflow. Twenty-five percent of the water budget of the lake is from groundwater.

So, our experiences and concerns with manure management are threefold: **excessive phosphorus levels in cropland, manure runoff into surface waters and manure contamination of groundwater.**

We have considered some practices to better regulate the handling of both animal manure and sanitary waste and substantially reduce the risk of contamination of groundwater and surface waters.

- A nutrient management plan for all farm operations within watersheds containing impaired waters is required as of January 1, 2005, under provisions of NR 151, Wisconsin Administrative Code. This requirement needs to be rigorously enforced and the nutrient plans need to be phosphorus based.

- Manure storage facilities should be designed to provide sufficient volume to allow the farmer to avoid spreading on frozen and/or snow-covered ground and during periods when heavy rainfall is expected. Existing operations that are considering expansion should also be required to add sufficient storage to over winter.
- During warm weather months restrictions should apply to spreading of manure/waste within water quality management areas (within 300 feet of a stream and 1,000 feet of a lake) and local sensitive areas (within proximity of sinkholes, wetlands, private wells, field depressions, etc). Riparian vegetative buffers of sufficient width, upslope diversions, wide setbacks from stream banks and shorelines, direct injection of liquid manure/waste and/or contemporaneous incorporation of solid and liquid waste should be part of the restrictions. No spreading should be allowed on lands with sufficient slope so as to permit runoff of waste during heavy rain events.
- Similarly, spreading of animal/sanitary waste along agricultural ditches, road ditches and wetlands that drain to waterways should be prohibited. An effective setback distance (100-200 feet) in conjunction with establishment and maintenance of vegetative buffers and water/sediment control basins should be a requirement in this regard.
- Conservation plans should designate locally sensitive areas on farmland with applicable spreading prohibitions.
- No clean out of agricultural ditches that exposes gravel or bedrock bottom, thereby permitting infiltration of contaminants into groundwater.
- The state should support technological and management innovations within the livestock industry to use manure as a raw material for agribusiness, thereby reducing the volume and improving the composition of manure required for cropland fertilization.
- Lastly, consideration should be given, in conjunction with the Wisconsin Department of Transportation, to the risks inherent in transportation of liquid manure/sanitary waste tankers through urban areas. Some safety or time-of-travel restrictions and/or designated routes may be advisable.

The responsibility to safely manage manure/waste application needs to be squarely on the shoulders of the farmer and waste hauler. Restrictions, prohibitions and approved practices need to be established and the manure/waste operator made aware of them. Optional practices may also be available so that the operator can select the best combination of practices for his/her particular situation. Finally, the onus for compliance is with the operator, with monitoring and enforcement authority residing with governmental units. The conscientious, careful operator needs to know that he/she is doing the right thing for public health and the environment and that the state supports him/her in this effort. Conversely, the irresponsible, careless operator needs to know that there are consequences and penalties if he/she chooses to disregard the requirements and that the penalties will be vigorously applied.

Thank you for the opportunity to provide comments.

Sincerely,

Gregory M. Farnham
Commissioner

Presser, Dennis W DATCP

From: Bethke, Marc [MBethke@co.dodge.wi.us]

Sent: Wednesday, December 14, 2005 10:51 AM

To: Presser, Dennis W DATCP

Subject: Comments on Manure Management Task Force Recommendations

Since bad weather may prevent me from attending the December 15th Manure Management Task Force public meeting in Madison, I am sending my comments via e-mail.

1. I agree with the recommendation for increased use of winter spreading plans, proper manure hauling procedures, and development of emergency response plans. My comment is that much time and effort will be required by public and/or private sector staff to assist farmers with preparation and implementation of these practices. Increased financial resources will be necessary.
2. I agree with the recommendation for increased implementation of nutrient management plans. Again, my comment is that much time and effort will be required of private and/or public sector staff to help farmers prepare and implement these plans. Again, increased financial resources will be necessary.
3. I also support the concept of a manure spreading advisory system to warn farmers about specific weather-related hazards and high risk spreading conditions. Since it may take time to develop and implement an elaborate web-based warning system, I would also suggest that the state agencies develop an interim plan now and begin getting the word out around the state as soon as possible regarding general weather related concerns and high risk soil conditions for manure spreading (i.e. news stories via newspaper, television, radio, web sites, etc. that present general “do’s and don’ts” about manure spreading, such as no spreading on frozen or snow covered soils near to lakes, streams ditches, wells, sinkholes, etc.). There is much general information that should be shared now and repeated frequently to cause as many people as possible to stop and think before they load up and head for the field. County UWEX and LCD offices could be a participant in such an information dissemination effort.
4. I agree with the recommendation that DATCP consider developing a statewide certification or licensing program for manure haulers. I would suggest that this program also include private family and corporate farmers that haul and spread their own manure. The goal of such a program would be first and foremost to educate manure haulers on the hazards and risks associated with spreading manure, and to also hold them accountable for any violations of their certification.
5. I also agree with the recommendation to expand the well replacement compensation program to include those who have strong evidence that their wells have been contaminated by manure. At least five Dodge County homeowners had to replace wells last winter due to manure contamination, and to the best of my knowledge have not been compensated by the farmers causing the contamination nor their insurance companies. These people needed help, but there was no help available. I hope that this can be changed for the future.
6. I strongly support the recommendation to at least try a regional pilot program to test the effectiveness of limited enforcement for farmers that meet standards for superior environmental performance. If I understand the concept accurately, farmers who have done good things such as preparing and implementing a nutrient management plan, or preparing and implementing a manure spreading plan, and perhaps keep records that document their manure management activities may be subjected to minimal consequences if they were to have a spill or discharge problem. I would like to think that this would be a strong motivator for farmers to take the initiative on their own to proactively do the “right thing”. The result of such a program should be that those farmers that are doing the right thing should in reality not have any spill/discharge incidents on their farms.
7. Finally, the recommendations touch on the issue of research, data collection and monitoring. Most of the narrative spoke of research associated with manure runoff events, what causes them, and what can be done to minimize or eliminate them. While this type of research is good and very helpful, I would strongly encourage the task force to make a stronger pitch to the secretaries of DNR and DATCP as well as the governor’s office that this state needs a concerted effort to collect information and research alternative methods of handling our large and growing volume of animal wastes. It’s true that historically the primary method of handling manure in Wisconsin has been to either daily haul, or to store and haul later. And

undoubtedly that will continue to be true. But at the same time I have to say that we need to start looking at alternative methods of dealing with this growing animal waste issue. We can't continue to keep spreading it all on the land – our soils are becoming over-loaded with nutrients such as phosphorus; spill/discharge events will continue to plague this state. Many farmers are looking for alternative ways to handle their manure, but information is sketchy and hard to come by. There are on-farm digesters, solid separators, incinerators, and composting being used today. But I don't know that anyone has taken the time to find out where they are, how long they've been in operation, how well they are or are not working, what are the start up and long term operating costs, and how feasible it is for a 200 cow, or 500 cow, or 1,000 cow, or 3,000 cow herd to implement any of these emerging technologies. We keep hearing comments about regional digesters, and the production of electricity from collected methane gases. But these occurrences are few and far between. Why is that? What is hindering the adoption of alternative manure handling technologies on farms? People selling the new technologies tell you it works great and is very feasible to implement. But are they telling the full story – do we get all the facts from sales people? I really think that the time has come for this state to establish some type of long term manure management technical advisory committee to research current and developing technologies, to seek out farmers across the state that have installed such technologies on their farm to learn of their experiences with those technologies, and then to compile and make available such information so that conservationists and farmers can learn of and make intelligent decisions on implementing alternative manure management technologies on their farms. We can't continue to just listen to the sales people, and we learn very little by going to field days at farms where technologies have been newly installed but not yet really used and tested yet. We must learn from long term - real life experiences what works, what doesn't work, and how much it will cost to install and maintain.

Thank you for the opportunity to comment.

Marc Bethke, County Conservationist
Dodge County Land Conservation Department

December 14, 2005

8045 Crystal Lake Rd.
Lodi, WI 53555-9539
Ph: 608.592.4718
billpiel@merr.com

Dennis Presser, DATCP,
P.O. Box 8911,
Madison, WI 53708-8911

Comments on the Draft Findings and Recommendations of the Manure Management Task Force:

In 1994, Wisconsin TU and other conservation groups called on the state to get serious about the harm that improperly managed manure causes to the waters of the state. Almost 12 years later, we're still talking about it. Based on our experience the last two years, the problem has gotten a good deal worse. Manure spills and fish kills arise from otherwise good farmers taking short cuts, from bad actors that don't appear to care about the harm they may cause, from inadequate response to accidents when they do occur, and a host of other reasons. The Manure Management Task Force Recommendations offer some hope of moving forward to solve this problem, but there are significant gaps in its recommendations that cast doubt on whether it really is a step forward.

The biggest gap is money. Current law requires cost-sharing for implementation of nutrient management plans, waste storage facilities, and practices to reduce polluted runoff. Everyone agrees there isn't enough money to properly implement these practices. Until our political leaders find the backbone to properly fund these programs, many producers in the state will be strapped to afford the improvements they need, acute events will produce more fish kills and pollute more wells, and chronic runoff of nutrients will continue to despoil our lakes and streams. Calling for an additional $7-14 million annually (p. 5) is not enough when the funding must compete with other general revenue in the state's budget. We call on the legislature and the Governor to identify and adopt a new funding mechanism to implement these practices and get on with the cleanup of the state's waters that both conservation and farm groups support.

Beyond the money issue, these recommendations call for a series of voluntary measures and increased information and education campaigns. We know from years of experience with voluntary soil erosion standards and voluntary priority watershed projects that this approach does not resolve ongoing threats to water quality. Phosphorous-based nutrient management plans should be required of any operation greater than 100 animal units. Livestock producers who do not regularly test their soils and alter manure applications in response to those tests and cropping history are practicing waste disposal, not nutrient management. If we are to make any headway in this area, land spreading as waste disposal must stop. These voluntary recommendations won't accomplish that. Mandatory nutrient management plans, mandatory restrictions on winter spreading on high-risk fields, and mandatory adoption of emergency response plans will (p. 2).

The recommendations don't even call for mandatory licensing of commercial manure haulers, even though most people agree this is needed – instead the report says DATCP "should consider developing" such a requirement (p. 11). The report does well to point to the need to include

producers with medium to large operations among those who should receive training on proper manure application and safety procedures. For this, the state should implement a program similar to mandatory certification for pesticide applicators and apply it to commercial operators and individuals.

It seems self-evident that the DNR and DATCP should work together to coordinate needed research into manure management and runoff (p. 4). They should also use the same or complementary protocols for investigating manure spills and runoff incidents. As the report points out, more research is needed in the role of tile lines as sources of contamination, alternative manure handling systems to reduce the liquid component, and alternate treatment of liquid manure that reduces the likelihood of excessive runoff. Economic data on the true cost of manure runoff events should be sought, perhaps in collaboration with the UW-CALS. Citizen monitoring is already expanding and the agencies should implement appropriate protocols to ensure the results of such monitoring are widely seen as reliable.

Even with increased funding levels, adoption of sound manure management practices will take a number of years. We support the call for targeting financial incentives and cost-sharing funds to critical areas and regions (p. 5). As part of this effort, we endorse the call for the DNR to draft and finalize a water quality phosphorous standard (p. 11).

As noted above, we are skeptical that increasing I & E programs will solve the problem, especially in light of staffing cutbacks and agency budget constraints (p. 6). However, the proposal to implement a statewide warning system to alert farmers when conditions are inappropriate for land spreading of liquid manure could be useful, if only to raise awareness within the producer community that paying attention to the weather is an important component of manure management (p. 7).

I repeat: we do not believe that voluntary measures will be able to safeguard the waters of the state. Even so, the use of regulatory and enforcement incentives (p. 8) may help move us beyond today's anemic pace of implementation. However, we need to see evidence that such a program would produce real water quality benefits. Therefore, we support a pilot program to couple limited enforcement or penalties with adoption of nutrient management plans, winter land spreading restrictions, implementation of an emergency response plan, minimization of potential failure points, and possibly other actions that, when implemented, may reduce the likelihood of both acute and chronic manure runoff events. In the event of an unforeseen snowmelt or rainfall that pollutes a stream and/or causes a fish kill, the DNR would not pursue punitive damages. It should be clear, however, that producers who do not take these steps will face the full application of fines and punitive damages in the event of a runoff incident or fish kill.

We also support the call to establish county emergency response plans as well as storage, treatment or manure transfer options for producers facing emergency storage issues (p. 9).

Finally, we endorse the recommendations to revise the well compensation program to provide funding for owners of wells contaminated by manure, along with the call to ensure adequate funding for a compensation program (p. 12).

In summary, we are disappointed the recommendations do not include effective regulatory proposals and do not identify a funding mechanism that can move us beyond today's shrinking budgets and scattershot implementation. It is time to either require producers to implement sound nutrient management and runoff controls on their own, or to come up with the funds to help them get the job done, and done within the foreseeable future.

Bill Pielsticker, Chair
Wisconsin State Council of Trout Unlimited

Presser, Dennis W DATCP

From: Farmer Charlie [farmercharlie@dialez.net]

Sent: Wednesday, December 14, 2005 3:53 PM

To: dennis.presser@datcp.state.wi.us

Subject: Water quality hearings

I am writing on behalf of The Door County Property Owners organization. We previously stated our support of all the bullet points mentioned in your notice. One exception was the changeto the well replacement program. This , if done should be on a cost share basis. I have had 14 years on our counties soil and water conservation commitee were we ran 2 watersheds to completion and onezone of contribution. here in the county we have had a lot of experience with correcting and preventing water polution. Sincerly, Charles Jarman our letter of comment was to Mr. Tom Bauman

Presser, Dennis W DATCP

From: Pat Miller [mzpat@charter.net]
Sent: Wednesday, December 14, 2005 4:31 PM
To: dennis.presser@datcp.state.wi.us
Cc: Charlie Jarman; Rich and Sandy Dirks
Subject: manure Management Task Force

To: Dennis Presser

Although Door Property Owners, Inc. is unable to send a representative to the Manitowoc hearing, we wish to re-iterate that our organization concurs with and supports these simple and basic measures to protect groundwater/drinking water.

Charles Jarman, DPO Board members, was unable to reach you from his computer at the e-mail address given.. Therefore I am forwarding our position to you from my computer and see if it is accepted.

Ms. Pat Miller
Chair, Natural Resources Committee
Door Property Owners
4814 Bark Road
Sturgeon Bay, WI 54235

Presser, Dennis W DATCP

From: Jessica Garrels [jessica@conservationvoters.org]
Sent: Thursday, December 15, 2005 6:38 AM
To: dennis.presser@datcp.state.wi.us
Subject: Manure Management public comment

Mr. Presser,
This was sent to me, so I am forwarding you a copy in case Terry Gant did not. I think it's clear that he wants to comment on this issue.

Thank you,
Jessica Garrels

Jessica L. Garrels
Field Organizer
Wisconsin League of Conservation Voters Institute
1642 Western Avenue
Green Bay, WI 54303
Office: 920-429-9008
Cell: 920-606-5202
jessica@conservationvoters.org

-----Original Message-----
From: Optimist Paddle Center [mailto:OPC@new.rr.com]
Sent: Thursday, December 15, 2005 5:36 AM
To: Jessica Garrels
Subject: Re: Manure/Water Quality Hearings in Manitowoc

Thank You for the opportunity to comment on this issue.

My first thoughts are that why should I care, after all I don't live in Manitowoc County. Lets all of us wake up to this and other water quality issues. Let us work together and find a practical way to stop the pollution without putting any more farms or families at risk.

As a Wisconsin resident and board member of Fox Wolf Watershed Alliance, I believe local and state ag concerns need to help stop those directly causing a health problem. Responsible citizens, farmers (both family and corporate), don't allow known contaminated hamburger to stay in our Big Macs without immediate recall via a wide base public notice.

I like my coffee with cream but without the animal waste.

Thank You
Terry A. Gant
2207 Henry St
Neenah, WI 54956

Presser, Dennis W DATCP

From: jessicagfunk@uwalumni.com
Sent: Thursday, December 15, 2005 6:52 AM
To: dennis.presser@datcp.state.wi.us
Subject: public comment for manure management recs

I would like to submit comments on the recommendations presented by the Manure Management Task Force. I appreciate the efforts of the Task Force as this is a very important issue, especially for people like myself who live in Brown County where cows are beginning to surpass the land available for them.

I would like to see regulations that include:

A mandatory winter spreading plan not contingent on the cost-share that is available--the risk of surface and groundwater contamination is too great;

The winter spreading plan should include identification of special areas where winter spreading should be completely off-limits (perhaps due to poor soil quality and depth);

The IMPLEMENTATION of nutrient management plans, which means that the funding for them should be increased;

The development of Emergency Response Plans by counties and farmers in order to contain and clean up potentially catastrophic manure events when they occur so that natural resources and human health are protected;

The inclusion of manure and bacteria as qualifying contaminants for compensation to owners of contaminated wells.

Thank you for registering and considering my concerns.

Jessica Garrels
219 13th Avenue
Green Bay, WI 54303
920-606-5202

STATEMENT of
SUE BEITLICH, PRESIDENT
WISCONSIN FARMERS UNION

On behalf of the
WISCONSIN FARMERS UNION

Presented to the
Department of Agriculture, Trade and Consumer Protection
and
Department of Natural Resources

Manure Management Task Force
Public Information Session

December 15, 2005

Statement of Sue Beitlich, President of the Wisconsin Farmers Union, on behalf of the members of the Wisconsin Farmers Union, presented to the Department of Agriculture, Trade and Consumer Protection and the Department of Natural Resources December 15, 2005.

On behalf of the nearly 2,000 family farm members of the Wisconsin Farmers Union, I would like to thank you for the opportunity to provide written comments on the preliminary manure management recommendations.

I am Sue Beitlich, president of the Wisconsin Farmers Union (WFU). WFU is a member-driven organization committed to enhancing the quality of life for family farmers, rural communities and all citizens through educational opportunities, cooperative endeavors and civic engagement.

Along with my husband, Will, I own and operate a 335 acre dairy farm and rent an additional 225 acres in Vernon County. We milk 50 cows; raise our replacement heifers, along with alfalfa, corn, oats, and soybeans. Thus, in our operation, manure is not only an animal waste by-product, it is also an important nutrient for soil quality and crop yields.

The Wisconsin Farmers Union (WFU) appreciates the efforts of the Manure Management Task Force. Walter Lueder, WFU Director, represented Farmers Union on the Task Force. We understand the reasons to form this task force and to address the concerns of manure runoffs and water contamination. While we will not deny that there have been recent manure spills, it is important to recognize that these spills were accidental and do not represent the practices of the vast majority of agriculture producers in our state.

However, when developing appropriate government policies, please resist placing additional governmental regulations on our family farmers and be cognizant of the

myriad of economic issues that face today's producers. Recognize that rising energy costs are increasing the individual farmer's cost of production while the market price for agriculture commodities remains constant and in some cases declining.

With farmers' limited financial resources, they cannot be expected to jump through additional regulatory hoops. Rather, it is incumbent upon government to approach this subject through additional cooperation and education. As producers, we can always learn and practice better, more modern management practices. However, it would be irresponsible to believe that producers willing damage or harm the environment. Instead, understanding that their financial viability is dependent upon a healthy ecosystem, producers strive to do the best job to leave the earth in better condition than we inherited it.

Government needs to work with, and not against producers in developing reasonable manure management rules. If there are some methods that producers can implement on their farms to avoid manure spills or runoffs, a format needs to be developed that provides producers with the education and knowledge necessary to avoid future spills. Greater awareness of weather conditions and the dangers of early spreading on slopes or frozen ground must be provided. When contemplating regulations regarding winter spreading, recognize that farmers have such a small window of opportunity to get their spring field work completed, several consequences could occur. Our roads and the shoulders of our roads could be placed under undue stress should there be no winter spreading. Farmers may not get a crop in the ground because of inclement weather and be spending too much time on the manure application rather than tilling and planting. Farmers may be forced out of farming by requiring storage of manure over

winter and the inability to pay for storage. Farmers have no one to pass on these added costs. Animal agriculture is important to Wisconsin's economy. And, so called "bad actors" must be identified and properly fined. Like everyone else, family farmers want safe drinking water, healthy waterways, a clean environment and healthy ecosystem.

Wisconsin Farmers Union believes our financial resources will be best spent on creating alternatives for manure. On our family farm, our family often refers to the manure spreader as the "honey wagon" – manure is a valuable fertilizer, as long as it is applied and managed appropriately. Put another way, manure is like money, when equitably and fairly applied, everyone and everything grows and benefits, when improperly applied and put in one place, it begins to rot and stink!

In addition to its soil nutrient use, manure also has an important energy use. When focusing on renewable energy projects, manure needs to be part of the equation – and not only anaerobic digesting of manure, but a myriad of efficient, sustainable ways to turn manure into fuel, electricity or other products. Manure must be viewed as an asset, not a liability.

Therefore, in conclusion, WFU believes that manure is a valuable tool for ensuring crop fertilizer, improved soil quality, and for future energy use. WFU urges all government officials to recognize the many diverse and competing pressures that family farmers face in growing the safe and affordable food that our nation's consumers enjoy. Any future public policy or regulation must be based on common sense, education, and communication. Any policy or regulation that requires farmers to accept another financial cost is unacceptable. All of us know the value of family-scale agriculture in Wisconsin. It would foolish and irresponsible to implement policy that would have the

unintended consequence of encouraging family-scale farmers to make the choice of exiting the industry or growing in size in order to meet new state regulations.

On behalf of the Wisconsin Farmers Union, I thank the DATCP and DNR for their attention to the concerns of Wisconsin's farmers and the environment. We're confident that there are many good things that will come out of this discussion.

Presser, Dennis W DATCP

From: Hansis, Robert D [Robert.Hansis@dnr.state.wi.us]
Sent: Thursday, December 15, 2005 12:10 PM
To: Presser, Dennis W DATCP
Cc: Stevenson, Gordon R.; Vollrath, Michael J.; Cain, Mark R.; Searle, Greg S
Subject: Manure task force

With the rapid turnaround and holidays coming up, I thought I'd pass along a suggestion for the Manure Task Force.

One of the major problems we encounter in responding to manure runoff events is the delay in finding out about an event. In events in our region during the past year, it was common to hear about discharge events a week after the impacts occurred. The delays eliminate any possibility of taking remedial action, and they hamper our investigations into causes and impacts to ground and surface water.

A simple solution this this problem is to require notification of runoff events that reach, or have the potential to reach, surface and ground water. Currently the law requires that spills be reported and there are penalties for failure to notify DNR. By including discharges from manure runoff into this law, we can make enforcement of current laws more effective, plus we would have an improved chance of responding and preventing or minimizing harm to the environment. In just the past year we have tried promising "last-ditch" techniques that would have more chance to be used if we would receive more timely notification.

Thanks for taking comments. I'm sure you have your hands full.

Bob Hansis
Basin Supervisor - Grant-Platte/Sugar Pecatonica
(608) 275-3304
robert.hansis@dnr.state.wi.us

Recommendations to the Manure Management Task Force from Northeast Wisconsin's Karst Bedrock Region

October 10th, 2005

Summary

Most residents of northeastern Wisconsin depend on groundwater for their drinking water. In the past few years, an increasing number of them have found that their well water is unsafe to drink. High levels of nitrates and bacteria and the presence of animal manure have been found in their well water. The handling and land application of animal manure has been identified as the most probable causes of contamination. Thin soils and shallow, fractured bedrock in this region of the State increase the chances of manure entering groundwater.

On October 10th, 2005 a group of 20 natural resource professionals met in Chilton to discuss manure management and groundwater protection in northeast Wisconsin, where shallow soils and fractured karst bedrock pose an extraordinarily high risk for groundwater contamination. The intent was to forward the group's thoughts and recommendations to the Manure Management Task Force, in an effort to bring attention to the special protection needs of the extremely fragile water resources in this portion of the state. Through a facilitated process the group is submitting its highest ranking recommendations as follows.

- *Winter manure spreading prohibition areas (perhaps like atrazine prohibition areas) are needed in shallow bedrock areas where waters of the state (groundwater) could potentially be adversely impacted. Liquid manure applications should be more restrictive than solid applications based on depth of soil to bedrock (e.g. surface to 20 inches = total prohibition for both liquid and solid manure; 21 to 60 inches = no liquid manure applications; greater than 60 inches = no prohibition).*

- *Winter manure spreading prohibition areas are also needed in other areas where waters of the state could potentially be adversely impacted, such as a " site that is susceptible to groundwater contamination" and "direct conduits to groundwater", as defined in NR151, NR283, NR281 and NRCS standard 590; as well as adequate spreading prohibition setback distances from streams.*

- *There needs to be a higher priority for lending institutions to finance manure management practices.*

- *More emphasis must be placed on education of all individuals responsible for storing, transporting and applying manure, specifically for local manure management "teams" of crop consultants, custom manure haulers and landowners.*

- *There needs to be more consistent documentation of the specific manure related land use activities that are contributing to groundwater contamination.*

- *Flexibility needs to be built into statewide legislation, so that regional areas with high-risk geology/groundwater resources or other sensitive environmental features can be protected at a higher level than the norm.*

Group Members

Bill Hafs (Brown Co. Land Conservation Dept.)
Marc Bethke (Dodge Co. Land Conservation Dept.)
Amanda Juhre (Winnebago Co. Land Conservation Dept.)
Becky Wagner (Fond du Lac Co. Land Conservation Dept.)
Bryan Ellefson (WDNR)
Tom Ward (Manitowoc Co. Soil & Water Conservation Dept.)
Greg Coulthurst (Door Co. Soil & Water Conservation Dept.)
Andy Wallander (Kewaunee Co. Land & Water Conservation Dept.)
Eugene McLoud (Calumet Co. Land and Water Conservation Dept.)
Katie Hemauer (Calumet Co. Land and Water Conservation Dept.)

Ad Hoc Resource Staff

Richard Castelnuovo (DATCP)
Sue Porter (DATCP)
Ed Odgers (DATCP)
Gordon Stevenson (WDNR)
Liz Heinen (WDNR)
Shelly Schaetz (WDNR)
Kevin Erb (UWEX)
Eric Cooley (UWEX Discovery Farms)

Deb Beyer, Facilitator (UWEX Basin Educator)
Mary Kohrel, Facilitator (UWEX CRD Agent)

This summary is intentionally brief. Please consider taking a few minutes to read the full meeting notes attached to gain additional insight into the experience of the group members and the agriculture/natural resource management challenges they face.

If you have any questions or would like to request a presentation be given at one of your meetings, please contact _____ at _____. Thank you.

Full Meeting Notes on Manure Management and Groundwater Protection from Northeast Wisconsin's Karst Bedrock Region (Niagara Escarpment)
October 10th, 2005

Regulatory and Incentive Needs Brought Up by Group Members

- Regulatory policies need to be regional in order to deal with special environmental features such as Karst and shallow soils.
- Regulatory policy needs to drive manure management instead of the market place.
- Statewide policies and programs currently do not allow for special treatment in the karst (shallow bedrock) areas of the state where groundwater is at especially high risk.
- Interim policies are needed to protect groundwater until more research is done to answer certain questions pertaining to manure application within these areas.
- Can the local counties require going beyond the minimum 590 standard?
- Should the State regulate custom manure haulers?
- At present there are no consequences for hauler's mistakes.
- Will nutrient management be properly enforced? Should cost sharing be required for nutrient management planning? If it is economically profitable for the farmer, then why cost share it?
- Should NR151 be updated to include manure spreading prohibition setbacks without cost sharing?
- We need winter spreading prohibition areas for solid and liquid manure.
- New NR243 regulations need to apply to all farms.
- Regulate manure and fertilizer separately.
- Decrease the present 72 hour incorporation time frame.
- What is an adequate new or expanded manure storage capacity? Six months may not be adequate for over winter months.
- Should the livestock siting legislation be mandatory?
- Broader nutrient management plans are needed. Whey and industrial wastes are not accounted for in these plans.
- Revisit the regulations and the manure management program as a whole. If manure application incidents have not decreased, the regulations and program need changes.

- Well compensation program is used as a "band-aid". This does not solve the problem or eliminate its source. Don't look at well compensation as the only solution.

- It is difficult to make a case against an offending farmer. Prevention is more important.

- More cost share money for storages.

- Manure management is the last thing to receive financing for from the bank. How do we raise this priority?

- Challenge the present staffing dollars provided by the state to the local counties. The northern counties have less agriculture.

- There is a need for more certified crop consultants/agronomists that only focus on nutrient management planning/implementation.

- It seems like we have updated everything to do with farming except how manure is being handled.

- Manure management must become an integral part of comprehensive planning. Rezoning of land is a problem.

Research and Education Needs Brought Up by Group Members

- Regional (county) Karst maps.

- Dewatering liquid manure and treating the by-products (liquids and solids).

- Define the foundational problems/issues in manure management. For example, is the real problem the use of liquid manure or just that there are too many head of cattle for the available land base? Are we seeing the results of soil that has been pushed to the limit (with nutrients/contaminants) and is losing its filtering capacity?

- Do we need different strategies for protecting groundwater from nitrates versus bacteria? As nitrates come from synthetic fertilizers, manure and septic systems; and bacteria come from manure and septic systems.

- CAFOs need a specific, designated nutrient management planner responsible for nutrient management activities, as well as trained manure haulers.

- Provide more education to farmers who haul and apply manure themselves.

- Provide education to manure management "teams" of crop consultant, manure applicator, and farmer.

- Calibrate manure spreaders and capture these teachable moments with the farmer.

- Require an assessment of land quantity for storage permits when a farm operation wants to expand.

- Realtors and potential homeowners should be better educated in the implications of rural living.

Group Members' Perspectives and Experiences with Manure Management and Groundwater Contamination

- Ed Odgers (DATCP) lives in Iowa County. Iowa County is seeing the same types of groundwater contamination issues as those found in northeast Wisconsin due to manure applications on shallow depth to bedrock soils.

- Bill Hafs (Brown County Land Conservation Department) discussed and distributed copies of newspaper articles regarding the recent groundwater quality problems in the Lark in southern Brown County. The Brown County Land Conservation Committee formed a local task force in May 2005 focusing on the risks of winter manure applications on shallow soils. As a result of task force findings and recommendations Brown County is considering requiring a winter spreading plan for all farmers who land apply animal waste from December 1 - April 15 and a well abandonment program. Based upon the available cropland, feeding recommendations from the State and number of livestock in Brown County, Brown County does not have enough cropland acres for land application of current livestock numbers in the County. Brown County's dairy livestock recommendation is 3 acres of land per Animal Unit for manure application . The State Department of Health Department has distributed a pamphlet on the risks to humans of animal manure in wells. The current NRCS standard 590 (Nutrient Management) does not adequately address problems associated with winter applications of manure.

- Marc Bethke (Dodge County Land Conservation Department) discussed the recent increase in groundwater quality problems in Dodge County. Three wells were contaminated during the winter of 2004. The problems appeared to have been caused when winter applied liquid and pen pack manure entered bedrock and ultimately groundwater after infiltrating many feet of fine textured soil by preferential water movement around large soil peds rather than filtering between the soil particles, and also by preferential water movement through a dense pattern of macropores (nightcrawler holes) extending as deep as 7-8 feet. Soils were saturated with manure as deep as 12-14 feet to the point where bedrock was found. Discharges to surface waters also occurred when manure was land applied adjacent to drainage ditches and streams. Dodge County will be reviewing their present, 7 year old manure storage ordinance. The Land Conservation Department staff are creating local manure spreading restriction maps, as well as trying to educate local farmers and trying to simplify nutrient management plans.

- Amanda Juhre (Winnebago County Land Conservation Department) discussed that because almost 1/3 of Winnebago County is surface waters manure application setbacks are big local issues. The county currently has a Waste Management Ordinance. Land Conservation Department staff members are working directly with farmers on nutrient management through one-on-one visits. They have about 200-300 farmers left.

- Becky Wagner (Fond du Lac County Land Conservation Department) discussed how Fond du Lac County's topography ranges from flatland areas to extremely hilly areas, the Niagara Escarpment cutting directly through the County. Land Conservation Department staff members are developing local, very specific setback maps for individual farmers. There is a lot of one-on –one nutrient management educating with landowners. There are local issues of expansion of subdivisions, served by private wells, benign with 10 miles of 4 to 5 confined animal feeding operations (CAFOs).

- Bryan Ellefson (DNR) discussed how he is getting more involved with local NR151 issues, such as following up on compliance. There are many farms, acres and problems to address.

- Sue Porter (DATCP) discussed the new 590 Standard revision, how it should help with NR151 implementation, and how it should give counties more local flexibility in restricting winter manure applications.

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located crop fields containing shallow bedrock (40 inches or less in depth). For the past two years operators of these crop fields have received targeted, specific manure application "recommendations" for the winter months of January through March. The "recommendations" for January through March include: A) no manure application on soils with 12 inches or less average depth to bedrock; B) no manure application on soils with 12 to 20 inches average depth to bedrock unless absolutely necessary, and only then with nutrient management plan setback distances doubled and application rates halved; or C) try to avoid manure application on soils with 20 to 40 inches average depth to bedrock, again, only then with nutrient management plan setback distances doubled and application rates halved. After recommendations are mailed out there is a follow-up phone call to discuss the "recommendations" with the farmer. The department has just hired a full-time staff person who will have groundwater quality issues as a main component of her job.

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Group members were asked, "If you were given the chance to say just one thing to the Manure Management Task Force, what would it be?" The individual responses were:

"Stop winter spreading of manure."

"Any recommendation that the task force develops on policies should not be 'one-size-fits-all' for manure management. Karst areas need special management considerations."

"The escarpment/karst region is especially susceptible to groundwater contamination, therefore we need regulations (region wide) to address the specific issues and enforce the rules."

"Stress the education fact of the economical savings of proper manure management and the possible costs to the landowner/operator of manure release to the environment."

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"Regulate winter application of manure on all farms. Regulate solid and liquid winter manure in groundwater hazard areas."

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Recommendations to the Manure Management Task Force from Northeast Wisconsin's Karst Bedrock Region

October 10th, 2005

Summary

Most residents of northeastern Wisconsin depend on groundwater for their drinking water. In the past few years, an increasing number of them have found that their well water is unsafe to drink. High levels of nitrates and bacteria and the presence of animal manure have been found in their well water. The handling and land application of animal manure has been identified as the most probable causes of contamination. Thin soils and shallow, fractured bedrock in this region of the State increase the chances of manure entering groundwater.

On October 10th, 2005 a group of 20 natural resource professionals met in Chilton to discuss manure management and groundwater protection in northeast Wisconsin, where shallow soils and fractured karst bedrock pose an extraordinarily high risk for groundwater contamination. The intent was to forward the group's thoughts and recommendations to the Manure Management Task Force, in an effort to bring attention to the special protection needs of the extremely fragile groundwater resources in this portion of the state. Through a facilitated process the group is submitting its highest ranking recommendations as follows.

- *Winter manure spreading prohibition areas (perhaps like atrazine prohibition areas) are needed in shallow bedrock areas where waters of the state (groundwater) could potentially be adversely impacted. Liquid manure applications should be more restrictive than solid applications based on depth of soil to bedrock (e.g. surface to 20 inches = total prohibition for both liquid and solid manure; 21 to 60 inches = no liquid manure applications; greater than 60 inches = no prohibition).*

- *Winter manure spreading prohibition areas are also needed in other areas where waters of the state could potentially be adversely impacted, such as a " site that is susceptible to groundwater contamination" and "direct conduits to groundwater", as defined in NR151, NR283, NR281 and NRCS standard 590; as well as adequate spreading prohibition setback distances from streams.*

- *There needs to be a higher priority for lending institutions to finance manure management practices.*

- *More emphasis must be placed on education of all individuals responsible for storing, transporting and applying manure, specifically for local manure management "teams" of crop consultants, custom manure hauler, and landowners.*

- *There needs to be more consistent documentation of the specific manure related land use activities that are contributing to groundwater contamination.*

- *Flexibility needs to be built into statewide legislation, rules, and policies, so that regional areas with high-risk geology/groundwater resources or other sensitive environmental features can be protected at a higher level than the norm.*

Group Members

Bill Hafs (Brown Co. Land Conservation Dept.)
Marc Bethke (Dodge Co. Land Conservation Dept.)
Amanda Juhre (Winnebago Co. Land Conservation Dept.)
Becky Wagner (Fond du Lac Co. Land Conservation Dept.)
Bryan Ellefson (WDNR)
Tom Ward (Manitowoc Co. Soil & Water Conservation Dept.)
Greg Coulthurst (Door Co. Soil & Water Conservation Dept.)
Andy Wallander (Kewaunee Co. Land & Water Conservation Dept.)
Eugene McLeod (Calumet Co. Land and Water Conservation Dept.)
Katie Hemauer (Calumet Co. Land and Water Conservation Dept.)

Ad Hoc Resource Staff In Attendance

Richard Castelnuovo (DATCP)
Sue Porter (DATCP)
Ed Odgers (DATCP)
Gordon Stevenson (WDNR)
Liz Heinen (WDNR)
Shelly Schaetz (WDNR)
Kevin Erb (UWEX)
Eric Cooley (UWEX Discovery Farms)

Deb Beyer, Facilitator (UWEX Basin Educator)
Mary Kohrell, Facilitator (UWEX CRD Agent)

This summary is intentionally brief. Please consider taking a few minutes to read the full meeting notes attached to gain additional insight into the experience of the group members and the agriculture/natural resource management challenges they face.

If you have any questions or wish to request that a presentation be given at one of your meetings, please contact Andy Wallander, Kewaunee County Land and Water Conservation Department, (920) 845-1360 or Eugene McLeod, Calumet County Land and Water Conservation Department, (920) 849-1444. Thank you.

Full Meeting Notes on Manure Management and Groundwater Protection from Northeast Wisconsin's Karst Bedrock Region (Niagara Escarpment) October 10th, 2005

Regulatory and Incentive Needs Brought Up by Group Members

- Regulatory policies need to be regional in order to deal with special environmental features such as Karst and shallow soils.
- Regulatory policy needs to drive manure management instead of the market place.
- Statewide policies and programs currently do not allow for special treatment in the karst (shallow bedrock) areas of the state where groundwater is at especially high risk.
- Interim policies are needed to protect groundwater until more research is done to answer certain questions pertaining to manure application within these areas.
- Can the local counties require going beyond the minimum 590 standard?
- Should the State regulate custom manure haulers?
- At present there are no consequences for hauler's mistakes.
- Will nutrient management be properly enforced? Should cost sharing be required for nutrient management planning? If it is economically profitable for the farmer, then why cost share it?
- Should NR151 be updated to include manure spreading prohibition setbacks without cost sharing?
- We need winter spreading prohibition areas for solid and liquid manure.
- New NR243 regulations need to apply to all farms.
- Regulate manure and fertilizer separately.
- Decrease the present 72-hour incorporation time frame.
- What is an adequate new or expanded manure storage capacity? Six months may not be adequate for over winter months.
- Should the livestock siting legislation be mandatory?
- Broader nutrient management plans are needed. Whey and industrial wastes are not accounted for in these plans.
- Revisit the regulations and the manure management program as a whole. If manure application incidents have not decreased, the regulations and program need changes.

- Well compensation program is used as a "band-aid". This does not solve the problem or eliminate its source. Don't look at well compensation as the only solution.

- It is difficult to make a case against an offending farmer. Prevention is more important.

- More cost share money for storages.

- Manure management is the last thing to receive financing for from the bank. How do we raise this priority?

- Challenge the present staffing dollars provided by the state to the local counties. The northern counties have less agriculture.

- There is a need for more certified crop consultants/agronomists that only focus on nutrient management planning/implementation.

- It seems like we have updated everything to do with farming except how manure is being handled.

- Manure management must become an integral part of comprehensive planning. Rezoning of land is a problem.

Research and Education Needs Brought Up by Group Members

- Regional (county) Karst maps.

- Dewatering liquid manure and treating the by-products (liquids and solids).

- Define the foundational problems/issues in manure management. For example, is the real problem the use of liquid manure or just that there are too many head of cattle for the available land base? Are we seeing the results of soil that has been pushed to the limit (with nutrients/contaminants) and is losing its filtering capacity?

- Do we need different strategies for protecting groundwater from nitrates versus bacteria? As nitrates come from synthetic fertilizers, manure and septic systems; and bacteria come from manure and septic systems.

- CAFOs need a specific, designated nutrient management planner responsible for nutrient management activities, as well as trained manure haulers.

- Provide more education to farmers who haul and apply manure themselves.

- Provide education to manure management "teams" of crop consultant, manure applicator, and farmer.

- Calibrate manure spreaders and capture these teachable moments with the farmer.

- Require an assessment of land quantity for storage permits when a farm operation wants to expand.

- Realtors and potential homeowners should be better educated in the implications of rural living.

Group Members' Perspectives and Experiences with Manure Management and Groundwater Contamination

- Ed Odgers (DATCP) lives in Iowa County. Iowa County is seeing the same types of groundwater contamination issues as those found in northeast Wisconsin due to manure applications on shallow depth to bedrock soils.

- Bill Hafs (Brown County Land Conservation Department) discussed and distributed copies of newspaper articles regarding the recent groundwater quality problems in the Lark in southern Brown County. The Brown County Land Conservation Committee formed a local task force in May 2005 focusing on the risks of winter manure applications on shallow soils. As a result of task force findings and recommendations Brown County is considering requiring a winter spreading plan for all farmers who land apply animal waste from December 1 - April 15 and a well abandonment program. Based upon the available cropland, feeding recommendations from the State and number of livestock in Brown County, Brown County does not have enough cropland acres for land application of current livestock numbers in the County. Brown County's dairy livestock recommendation is 3 acres of land per Animal Unit for manure application. The State Department of Health Department has distributed a pamphlet on the risks to humans of animal manure in wells. The current NRCS standard 590 (Nutrient Management) does not adequately address problems associated with winter applications of manure.

- Marc Bethke (Dodge County Land Conservation Department) discussed the recent increase in groundwater quality problems in Dodge County. Three wells were contaminated during the winter of 2004. The problems appeared to have been caused when winter applied liquid and pen pack manure entered bedrock and ultimately groundwater after infiltrating many feet of fine textured soil by preferential water movement around large soil peds rather than filtering between the soil particles, and also by preferential water movement through a dense pattern of macropores (nightcrawler holes) extending as deep as 7-8 feet. Soils were saturated with manure as deep as 12-14 feet to the point where bedrock was found. Discharges to surface waters also occurred when manure was land applied adjacent to drainage ditches and streams. Dodge County will be reviewing their present, 7 year old manure storage ordinance. The Land Conservation Department staff are creating local manure spreading restriction maps, as well as trying to educate local farmers and trying to simplify nutrient management plans.

- Amanda Juhre (Winnebago County Land Conservation Department) discussed that because almost 1/3 of Winnebago County is surface waters manure application setbacks are big local issues. The county currently has a Waste Management Ordinance. Land Conservation Department staff members are working directly with farmers on nutrient management through one-on-one visits. They have about 200-300 farmers left.

- Becky Wagner (Fond du Lac County Land Conservation Department) discussed how Fond du Lac County's topography ranges from flatland areas to extremely hilly areas, the Niagara Escarpment cutting directly through the County. Land Conservation Department staff members are developing local, very specific setback maps for individual farmers. There is a lot of one-on–one nutrient management educating with landowners. There are local issues of expansion of subdivisions, served by private wells, benign with 10 miles of 4 to 5 confined animal feeding operations (CAFOs).

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Comments to Recommendations by
The Manure Management Task Force

December 15, 2005

1. Winter spreading plans

A winter spreading plan makes sense, but only in the context of a larger nutrient management plan for each farm. Winter spreading is certainly more likely to put manure in the river, but nutrients of all kinds can end up in waterways any time of year. A nutrient management plan should address runoff potential for all seasons.

It makes especially good sense to require winter spreading plans for those farms identified in the county land and water conservation plans as "priority farms" who store and spread manure in winter.

2. Emergency response plans

This seems like a good idea on its face, but "emergency response" implies that we accept there will be spills and we should plan for their clean-up. But rather than asking farmers for a clean-up plan, maybe we should be asking them to put their thinking and planning into preventing one. That takes us back, again, to nutrient management plans.

It makes sense to require an emergency response plan for farmers who have already had runoff incidents that have fouled waterways. They have a "track record," and there have been repeat offenders. Making it a requirement for those with a track record may be a useful signal to farmers that an ounce of nutrient planning prevention is preferable to several pounds of required response plan cure.

3. Nutrient management plans

It's true that very few farms, of any kind, have nutrient management plans. The Task Force suggests "increased implementation" of nutrient management plans. But are they being suggested? Required? Hoped for?

Like so many recommendations for livestock farmers that they reject because they are burdensome, expensive, and unnecessary for most farmers, this one makes more sense if we start by requiring it of the small minority of livestock farms causing the biggest problems. Again, we know who they are – every county has identified "priority farms" as part of their county land and water conservation plan. A plan that may cost several thousand dollars on the front end, but could potentially save the farmer tens of thousands of dollars by making better use of manure, has to be seen not as a burden and an expense, but a wise investment for the farmer, and for the taxpayers if the development of a plan is cost-shared.

4. Funding

Any recommendations here may end up like the non-point rules -- never to realize their promise of reducing agriculture's impacts on our waters because there's no funding.

We often end up in the same place when trying to figure out ways to reduce the environmental impacts of agriculture – farmers say the cost of environmental regulations would drive them out of business. Wisconsinites have said in many ways they want farmers on the landscape and in business. There are deep cultural ties we all have to farming and agriculture in this state, and we've been willing pay for it -- most dramatically in recent years by accepting what is now a billion dollar-plus shift in property taxes from farmland to residential property.

But maybe it's time for farmers themselves to pay to keep their soil and manure out of the public's waters. Their image and reputation is at stake, with fish kills, contaminated wells, silted up streams, becoming more common. We have a modest proposal to adopt statewide what Brown County had the good sense to do: institute a simple "clean and green agriculture" fee of 50 cents per acre of farmland in the state. With about 15 million acres, we could generate nearly $8 million annually – enough to provide cost-share money for farmers to abide by the non-point rules adopted nearly 5 years ago, AND cost-share money for nutrient management plans for identified priority farms. A 200-acre farm would pay $100 per year – hardly a heavy burden.

5. Regional Pilot Program

This idea – not put into your recommendations in these words but essentially you are suggesting the Green Tier concept for dairy farms – has a lot of merit.

This should be initiated not by "the State" but by the dairy industry – Professional Dairy Producers of WI, WI Milk Marketing Board, others. Several farms in a watershed could commit to putting together environmental management systems that are supposed to generate "superior environmental performance" in exchange for a lighter regulatory and enforcement hand. One important measure such a Green Tier livestock agriculture charter could strive for is reducing phosphorus load in a particular watershed. This would be a measurable and significant positive for agriculture and for Green Tier if we could demonstrate such a change.

I believe the DNR has developed performance standards and criteria for a Green Tier charter for agriculture, so the template is there if the farmers willing to put the energy into it are there too.

Presser, Dennis W DATCP

From: Chris Zeman [jc.zeman@worldnet.att.net]

Sent: Sunday, December 18, 2005 9:31 AM

To: dennis.presser@datcp.state.wi.us

Subject: liquid manure

Hi! I am asking you to please stop Night spreading of liquid manure. If you have a leak while spreading at night it will be harder to see. We had 2 farms on Dec.6,2005 spread liquid manure at night. I took picture of 1 place they spread on a slope that goes in to a nature drainage ditch that goes into a small wetlands. Sure they tried to disc it into the ground but the ground was frozen in spots.That night the temps were in the teens.We won't see the damage of that spreading till spring.The other area was not as sloped. The spreading was done in the area of Old Y in Maribel. I agree if we can't stop the spreading of liquid manure in the winter because it is a hard ship on the farmer lets at least control it better. Have a person look at the area physical not just look at a map.Also issue a permit to allow it so there is not to much liquid manure spread in 1 area. Also you need to update the book that is out on how deep the bedrock is. In our area the bedrock is sometimes only 12inches from the surface not 20 feet like the book states.We had a issue of whey spreading 2 years ago on the farm next to us and the people showed my father in law the book .My father in law was able to show the guy several areas that were only a shovel full away from the surface on our farm. We had alot of run off of Whey on to our farm.We lost some of a hay field because the liquid whey sat in the field like a pond which caused the hay die. This was a good example of how when spreading liquid it runs off into other areas other than were it was spread. Animals even get sick when drinking polluted water. Please protect the waters of Wisconsin. Thank You Chris Zeman

DATE: DECEMBER 15, 2005

MEMO TO: STATE MANURE MANAGEMENT TASK FORCE

FROM: TOM WARD, ON BEHALF OF THE MANITOWOC COUNTY UW DISCOVERY FARMS ADVISORY COMMITTEE

SUBJECT: COMMENTS ON THE MANURE TASK FORCE RECOMMENDATONS

The Manitowoc County Discovery Farm Advisory Committee is composed of the two representatives from our Discovery farms, UWEX staff, Agribusiness, Livestock Producers, County Staff and Environmental organizations. The Committee met on December 12, 2005 and developed these comments.

We support the recommendation to have DATCAP develop a statewide certification or licensing program for manure haulers that builds on the professional certification program.

- We feel that 75% of the Animal Waste applied in Manitowoc County is applied by commercial operators, and a certification process would have a significant impact.

- A majority of applicators in our County are certified by their professional Association, however the applicators that are not certified are commonly the business that are also not in attendance at educational functions and have had application problems.

- Applicators are often times the first responders that can take immediate action if runoff begins to occur; they have seen similar weather and field conditions and can identify high risk situations before a problem occurs; and with additional training is our best defense to prevent a runoff event.

- Applicators decisions on application are often over ruled by the producer who pays their bill. Certification or licensing would enforce the applicators position to **not** do something that would risk their license.

- Applicators are very innovative and capable of solving application problem. Their direct involvement through a certification process can help us develop new ways to reduce runoff events.

- Certification is important in any profession to sensitize a large group, to a need or issue and communicate updated information as well as share experiences with colleagues.

For these reasons we encourage the implementation of this recommendation and commend your group on the many innovative and encouraging ideas in your report.

The following comments are my own and not representative of the Discovery Farm Committee:

- I applaud the tracking of incidents. Manitowoc County has been tracking events for 20 years. Your presentation was limited because you only had data for one year. Collection of the reasons and circumstances from and incident are critical to identifying systemic problems such as components of our technical Standards that may not be adequate such as depth to bedrock for NPM.

  Prior to this session our Land Conservation Committee was questioning the causes from our last incident that resulted in a valve failure, such as: how many cases have we had failures; do we have back ups systems are they working: and do we have a maintenance system to check on these features. Our answer was 3 previous incidents resulting from valve failures, valves especially in Harvester Slurry Stores are getting older, we do have safety back up systems but we don't have a follow up maintenance inspection program.

- I also suggested an evaluation component of the report such as: reconvening the committee in a year; a progress report on recommendations to the Agencies governing Boards; and a performance goal of a % reduction in incidents State wide. I believe the performance goal is important as a measure of real progress, in the event a solution may have no impact on the problem.

Presser, Dennis W DATCP

From: Jenson, Todd - Monroe, WI [Todd.Jenson@wi.nacdnet.net]
Sent: Wednesday, December 21, 2005 9:48 AM
To: dennis.presser@datcp.state.wi.us
Cc: Gordon.Stevenson@dnr.state.wi.us; Richard.Castelnuovo@datcp.state.wi.us; Jim.VandenBrook@datcp.state.wi.us
Subject: Manure Management Task Force

I have reviewed the recommendations of the manure management task force. My first impression is that it is very soft. It has a lot of "you should do this"and "we should give information and eduacation on that", but nowhere in the recommendations do you actually say you will regulate anyone.

Dealing with farmers daily I have come to realize that sometimes they need to be regulated just like any other business. Just yesterday, a farmer was turned in by his neighbor (yes, another farmer) for spreading manure along the edge of a trout stream (at least it was until the spring of 2006). There isn't alot of regulation we can do to this person. I called the local DNR Waste Management Specialist, who called the farmer to discuss why he shouldn't have spread the manure there, but that is about the extent of the outcome. The damage is done. The first snowmelt and the manure is in the stream.

Your recommendations are to increase nutrient management plans. First, you need to fund it. You don't actually think farmers are going to have these things written at their own expense do you? Land and Water Resource Management has historically not had 590 cost sharing, because it is a soft practice and bonding dollars can't be used. This year the state let us apply for 590 money in an area where we had a manure spill occur within the past three years. I have read the preliminary allocation plan and noticed we should receive $15,000. That will cover 500 acres. That will cover two dairy farms leaving 448 still to do. EQIP does not cost share 590 plans. They do cover Comprehensive Livestock Farm Plans, but farmers don't want to go with this option, because it costs too much money.

For the most part, the only farmers who have a nutrient management plan written here in the county are those that are required through either our county's manure storage ordinance or large scale farm ordinance.

So, here's the skinny folks. You need to talk to the legislature and get it properly funded. Yes, it will cost well over $100 million to get the program started. Then, it needs to be regulated. If both of these items are not done, then nothing will be accomplished and all of the time your group has spent in meetings for the past year will be for not.

Todd Jenson
Green County Conservationist

The Door County SWCD has reviewed the December 1st Draft Findings and Recommendations from the Manure Task Force and would like to submit the following comments:

1. The Door County SWCD notes that the 52 acute runoff events, (referred to in Appendix 1), show that the majority were a result of manure applications during frozen or snow covered conditions. These runoff events indicate that other parts of the State are now experiencing the same issues Door County has locally dealt with. Winter spreading of manure is no longer a local concern in only shallow to bedrock soils. Winter spreading of manure has been linked to well contaminations in Door County for decades and now the entire State of Wisconsin is finally starting to give this issue the attention that the public deserves. Door County staff has dealt with literally several dozen well contamination complaints that have been linked to winter spread manure, most of which go unreported.

2. It is clear that The Manure Task Force was organized to address and possibly solve the recent increase of acute runoff events involving land applications of manure. This action is commendable. However **the Task Force has fallen far short with its recommendations to resolve these acute events.**

3. It is clear that the majority of these acute runoff events are the result of winter spread manure from a minority of farmers.

4. The simplest and most direct solution to eliminate winter spreading is to store the manure during frozen, snow covered or saturated conditions.

5. There is a significant cost associated with maintaining storage for every farm, but there is also no estimate of costs to compensate every landowner with a contaminated well caused by manure runoff events, or costs to remediate aquifers, or costs related to public heath issues.

6. Additional certification and accountability for private haulers is a good idea, but operators of all large farms particularly CAFO's should be certified and held accountable as well. (Nearly 70% of the land spreading events were a result of operators spreading their manure.)

7. The idea of putting a surcharge on milk is an excellent idea to generate funding for manure storage, but the burden needs to be shared by both the producers and consumers. This burden or surcharge needs to be primarily on the industry as a so to speak insurance policy.

8. The current NR243 draft is requiring 6 months of storage for all new permitted large CAFO's and additionally has more restrictive winter spreading conditions for all CAFO's. It is apparent that the State Wisconsin does not want large farms to spread manure in the winter. Smaller farms should be held to these same requirements especially since cost share funds are available to provide adequate storage on non permitted farms.

9. It appears that some of these recent acute runoff events due to winter spread manure have been in accordance to NRCS Standard 590, yet wells were contaminated. It is apparent that we cannot predict safe winter application sites for all environmental and physical soil conditions with existing "590" standards or winter spreading plans. Again if the simplest solution is to stop winter spreading let's figure out how to do it and phase implementation in starting with the worst offenders.

10. Door County has dealt with winter spreading issues through watershed programs for over 20 years. It is well known that Door County is highly susceptible to groundwater contamination from various surface activities due to the thin soils and rapid water transfer conduits in the dolomite bedrock. The Upper Door Priority Watershed was the first priority watershed to address groundwater and the primary objective was to build manure storage systems to eliminate winter spreading. It was obvious to the SWCD that storing manure during winter months was working, simply because complaints of contaminated wells decreased where manure storages were installed. Once Upper Door watershed contracts started to be satisfied, some farmers started to expand and begin winter spreading again. The complaints of contaminated wells within these areas immediately resurfaced. The philosophy to store manure for the entire winter has remained consistent for implementation in Door County, and it is working.

11. Developing winter spreading plans for all farms is not only an incredible task to take on, but it is also only a short term or "band aid" solution; and only if it is properly implemented. The Door County SWCD attempted this solution several years ago to provide farmers with options for a winter or two before adequate storage could be installed. The plans were developed according to "590" specifications and also included areas that the SWCD highly discouraged for winter spreading, which were above and beyond "590" specs. The farmers choose to implement the plan by choosing sites closest to the farm rather than sites that posed the least amount of risk, as a result wells were again contaminated in areas that were "590" approved and in areas that were above and beyond "590" requirements. The SWCD was then put at "fault" for allowing this to happen. **If winter spreading plans are being promoted by the Task Force as the solution to these acute runoff events, then the Task Force is giving the public false hopes.**

12. Agriculture in the State of Wisconsin is a valuable and economically important industry. It is however evolving from a way of life for a family to a large corporation type industry. Available cropland for spreading and utilizing manure is shrinking and applied manure has become more liquid in nature. The result is that much larger quantities of manure are being applied to smaller areas in a more mobile form. In many cases this has resulted in over applications, improper timing of applications prior to precipitation events and applications during winter months when manure has only one option during the spring melt – to runoff of the intended site!

13. Manure is a valuable source of nutrients and should be treated as such. Commercial fertilizers are not applied in the winter, because it is a product that is paid for and everyone knows that if we apply it in the winter we will not get our money's worth, because it will runoff of the intended site.

14. In many ways History is repeating itself only with a different industry. Many years ago the Paper industry was allowed to discharge their waste into Wisconsin Rivers; this waste accumulated and saturated our rivers to a point that the public could no longer eat the fish that swam in these waters. Today the soils of Wisconsin are being saturated with manure, which is treated as a waste instead of a soil amendment, and our soils are now becoming saturated with nutrients, and bacteria; to a point that they are now becoming contaminants to Wisconsin's aquifers and waterways. In addition the practice of applying manure in the winter and paying minimal fines for fish kills instead of building adequate storage has apparently become a lucrative business. History may be repeating itself. If the Manure Task Force and the State of Wisconsin does not stop the increase of Acute Runoff events the Agricultural industry may be held liable for previously approved practices and mismanagement, and farmers may be required to be fiscally responsible to clean up Wisconsin aquifers and waterways.

15. **The Solution is simple: Stop winter spreading! The majority of the 52 acute events would not have happened if winter spreading was simply not allowed! The Task Force needs to recommend this as an addition to the Standards and Prohibitions** The Standards and Prohibitions can only be implemented on existing non permitted sites when a minimum rate of cost sharing is offered, so it is safe to say that limited funds will be used for only the most severe areas or sites. **A farmer should not be allowed to avoid the overflowing manure storage prohibition by simply winter spreading manure**. It should be the goal of both the agricultural industry and government agencies to make this happen for both the short term and long term so that manure can be properly applied as a nutrient source that will stay where it is intended. **Research and winter spreading plans are not the solution, because research has shown that this issue is a moving target and contamination is occurring in previously unheard of areas**. Door County has dealt with the ground water contaminated issues related to winter spread manure on shallow soils for decades, but now County's such as Dodge County are experiencing ground water contamination events caused by winter spreading on deep soil fields that were in excess of 10 feet. The State of Wisconsin cannot afford to wait for research to be complete. Obviously funding is a big issue and we need to phase this in starting with the farms that had a runoff event. We need to hold farmers accountable for their mismanagement actions and the requirements to maintain storage capacities when tax payer funding is used. Regulation is the answer to make the minority of miss-managers fiscally responsible.

Presser, Dennis W DATCP

From: Allen and Amy Ries [ajasries@hotmail.com]
Sent: Wednesday, December 21, 2005 3:55 PM
To: dennis.presser@datcp.state.wi.us
Subject: Manure Management Task Force Report Comments

Dear Dennis,

After reviewing this report, I have a few comments for you to consider coming from a pork producer from Southeastern WI. Why, throughout this report is the VALUE of organic nutrients to WI agriculture not addressed?
Education and incentives should be the primary focus of the report, and I think we miss the point if we do not inform the public on this issue. I think this is far more important than further non-funded mandates because the public has not given this high enough priority to attract funding.

Operating a third generation farm, we constanly strive to protect our soil and water based on a common sense approach. We do soil and manure testing which at best seem to give us just average results. Testing and nutrient plans are time cosuming and along with equipment are very expensive. I believe P based plans are expensive to develop and implement and that phosphorous runoff would be higher without animal agriculture.

Manure runoff events get all the focus while municipal runoff events seem to be accepted as unavoidable events. Living near two larger cities that have multiple municipal waste overflows each year, I see these being overshadowed by manure runoff events that put a greater volume of material into our lakes and streams. Public reporting of these need to be more balanced.

I would strongly support a statewide educational and training program if it is developed with the Ag organizations in this state. Research on WI farms needs to be practical, not worst case scenario research.

Thank you for your time and considerations, Al Ries, Vice-President of WI Pork Association

Presser, Dennis W DATCP

From: Laurie Schetter [Laurie.Schetter@greenstonefcs.com]
Sent: Thursday, December 22, 2005 8:27 AM
To: dennis.presser@datcp.state.wi.us
Subject: Comments on Manure Mgnt Task Force

To: Manure Mgmt Task Force
From: Laurie Schetter - Friend of Agriculture and industry employee

Allow me to begin my comments with a disclaimer that the follow is my own opinion only and is not representative of the firm I am employed with. I am simply utilizing the email system of this firm for this purpose, and the use of the email is GreenStone FCS' only involvement/connection with this communication.

As a person who grew up on a diary operation in Northeastern Wisconsin, raised my family in the country, and am myself as well as our son employed in the industry, I fully understand and appreciate agricultures value to our communities,counties, state, nation.

I am greatly concerned with the direction and degree of regulations being enacted, or proposed to be, regulating this industry. While I can fully see the need for the protection of the environment, I no less than anyone else wants clean air, water etc. I also understand that the majority of our operators are very good stewarts of our land, better than many non-ag related consumers.

One of the concerns I have with the passage of regulations on the manure issue is economic impact on many of the operations today that do not have adequate or any manure storage facilities. I have worked with a number of producers as they have implemented cost shared facilities and the cost and degree of what gets put into place is astronomical. These pass units have been fortunate to have received some very sizeable cost share dollars to offset for them. If these same facilities have to be constructed on similar size operations in the future without significant (60-80%minimum) cost share, it most likely will not be economically feasible for the producer to invest in the storage and still be able to operate a viable business.

Another concern I have for many of the traditional dairy units (ie, stanchion barn, semi solid manure) is they may already know that they do not have another generation to take over the present operation as it is and to take on additional debt with very little return on investment isn't feasible either. Therefore, if they are to receive cost share dollars to implement the require practice, how many years will it actually be utilized before it is abandoned for retirement. Many of the past projects I have witnessed are not planned and sized for future growth and ultimately end up under utilized or abandoned.

Thirdly, it has become evident that some of the present operations are looking to the future generations that do want to stay in farming and are trying to determine how they can position their operations for those generations to be able to afford to take them over and possibly grow the operations even more. Unfortunately some of these producers are looking into and planning for these next steps OUTSIDE of our Wisconsin borders, in large part due to the lack of support for the industry and pending regulations. Wisconsin can't afford to be loosing operations to other states!

My recommendations for future regulations is that it is looked at very closely in all the above listed areas as to economic impact, return on investment, new and better plans for implementation of manure handling on the farm. The potential longevity of the producer and unit in regard to return on investment, not only the producers investment, but the cost share dollars also. If cost sharing is implemented through some of these regulations, can determination on the return on the cost share portion also be calculated. Lets not pour a ton of dollars into concrete and steel that will be left empty or un-utilized in the near future.

I also recommend that provisions be found for those that only plan to farm for the next few years, and then retire as they have no children/partners interested in taking over. Can this type of unit utilize less costly investment

alternatives to steel and concrete. Headland stacking, semi-solid spreading on low risk run off ground, ie…allow cost share dollars to be better utilized on units with long term intentions of operations. Do all units propose the same environmental threats and do they all have to follow the same rules. And how does this affect other industries to conform to regulations, such as municipal sludge spreading, dairy processing plant waste, paper mill waste, independent private septic tank pumping operations, hobby farming and horse operations, and the list goes on. Not all air and water quality issues, concerns and problems are caused by animal agriculture.

One last recommendation is to take into consideration that Mother nature doesn't follow any of the rules. Many times nature drives all the actions. 3, 6, or 9 months of storage may not be enough depending on what Mother nature decides to do. Spring can be very wet and not allow time or access to the proper fields for disposal, fall the same and may even freeze up very early, not allowing enough time to get crops off, manure applied. Can provisions be made to accommodate these types of circumstances and at what cost to the producer?

I do support the usage of Winter spreading plans, but can not support the implementation of a winter spreading BAN because, as mentioned above, nature has no rules. If a BAN must be used, provisions for exceptions need to be considered and provided, not for poor management pratices, but for the unforeseen, unconsidered situations that do occur.

Cost sharing for contaminated wells is fine and good, but there better be ways to be 100% sure it is the manure that caused it, and is the manure handling practice at fault, or is poor well conditions (faulty casing, construction) the cause. If regulations were followed and it still happens, is cost sharing still applicable?

There are so very many factors to take into account on this type of issue. I would like to commend the task force to taking on such a mamoth task. While it may seem an insurmountable task, one of the things I suggest is that you continue to solicite and utilize information and advice from those who are directly involved….the producers, county UW agents, county soil and water units. Work with those who seem to be doing it right already and help create the regulations and BMPs that do work and are economically feasible, recognizing that not every unit will win in this situation, but that many are there already and can help.

Thank you for time, attention and consideration on all the issues.

Laurie Schetter

Laurie Schetter
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December 22, 2005

Dennis Presser
Wisconsin Department of Agriculture, Trade and Consumer Protection
P.O. Box 8911
Madison, WI 53708-8911

Dear Mr. Presser:

Thank you for the opportunity to submit written comments regarding the key draft recommendations which were assembled by the Department of Natural Resources (DNR) and the Department of Agriculture, Trade and Consumer Protection (DATCP) Manure Management Task Force. The intent of this letter is to provide the Wisconsin Counties Association's (WCA) general observations regarding the Task Force's recommendations. WCA appreciates the great deal of effort that both departments have committed to addressing manure runoff events. WCA also appreciates the strong working relationship between the state agencies and county government on this issue.

WCA feels the recommendations put forth by the Task Force are a significant and essential first step to addressing the serious winter manure runoff problem in Wisconsin, which has resulted in acute runoff incidents involving fish kills and well contamination. It wasn't long ago when the general public, the agricultural industry and local officials did not acknowledge manure runoff events as a serious threat to the environment and public health. The recommendations are a clear step in the right direction in terms of acknowledging this as an issue of importance to the environment, public health, local economies and so forth.

Currently, counties play an integral role in: 1) providing overall land-use related services in Wisconsin; and 2) working with the agricultural industry to promote compliance of state performance standards. If the Task Force's recommendations are going to be common practice in Wisconsin, counties will be the impetus behind making the recommendations a reality in Wisconsin. WCA is committed to working with counties and the departments to implement the recommendations.

Some counties have already been at the forefront of addressing their specific local needs. For example, Dane County officials have worked cooperatively with the agricultural industry and other stakeholders to develop a manure spreading ordinance designed to protect public health and the environment in Dane County. The Task Force did not recommend pre-emption of existing county initiatives and ordinances, which is an

indication that the Task Force recognized the importance of affording counties the ability to address local needs in terms of manure runoff and public health. WCA appreciates and supports the Task Force's unwritten conclusion that local control and flexibility are essential steps to addressing the identified issues.

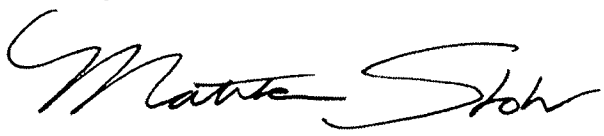
Recommendation 1 is an area that will require a great deal of detail in terms of identifying and providing specific incentives, practices and/or regulations for manure hauling and spreading. WCA respectfully requests that county officials continue to be part of the Task Force if and when any specific law or rule language is being discussed and drafted.

Regarding Recommendation 2, WCA is committed to working with the stakeholders to encourage an increase in funding in the 2007-09 state budget for the implementation of nutrient management plans for livestock operations. Furthermore, regarding Recommendation 5, WCA is committed to working with the Task Force and the departments to encourage counties to develop emergency response systems to better deal with manure runoff events. Manitowoc County and Kewaunee County have proactively developed manure runoff emergency response plans that have served as a tool to more effectively and efficiently react to runoff events. The plans have ultimately reduced the level of damage to the environment and public health in both Manitowoc and Kewaunee Counties.

With the recent addition and/or modification of numerous regulations relating to agriculture, such as non-point pollution performance standards and indirectly with comprehensive planning, it is clear that more public support for regulations is garnered if education is the first step in the regulatory process. To that end, WCA supports the recommendations as presented. The recommendations as presented by the Task Force will provide guidance in terms of what steps counties can take to work with the industry to prevent and mitigate the impacts of manure runoff events.

Thank you for considering our comments. Please feel free to contact me if you have any questions.

Sincerely,



Matthew Stohr
Legislative Associate

Presser, Dennis W DATCP

From: Heaton-Amrhein, Jennifer A DATCP
Sent: Friday, November 18, 2005 1:48 PM
To: Jelinski, Dave DATCP; Castelnuovo, Richard M DATCP; Presser, Dennis W DATCP; VandenBrook, Jim P DATCP; Odgers, Ed J DATCP
Cc: Amrhein, James F.
Subject: Manure Management Task Force Recommendations

My husband, a water quality biologist at South Central Region DNR, recently read the manure task force recommendations and had a suggestion that is missing from the list. His suggestion is that DATCP identify a "point person" for DNR field staff to contact in case of a manure event. This would improve communication between DATCP and DNR on manure management issues and ensure a coordinated response.

When I was thinking about his suggestion, I thought the Toxic Response System used by the Ag Chem Bureau might be an appropriate model that could be modified for manure events. The Toxic Response System has very specific points of contact and procedures, and also has people on call 24 hours. If, for example, Jim VB was designated the contact person, he would get the information from the DNR animal waste investigator and then make additional DATCP contacts as needed for a coordinated, timely response. That might include contacting Ed to assign a field engineer, or deploying central office staff to visit the site. Potentially, this could also require some inter-bureau cooperation with Duane's or Dave's sections.

Anyway, that's a real-life, practical suggestion from somebody at our counterpart agency who deals with this stuff every day. Do with it what you will.

Jenni

****

jennifer.heaton-amrhein@datcp.state.wi.us
Livestock Siting Program Manager

Department of Agriculture, Trade, and Consumer Protection
Agricultural Resource Management Division
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Madison, WI 53708-8911
608-224-4613 (phone)
608-224-4615 (fax)

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More from Scott

From: bdr@dairynet.com
Sent: Tuesday, January 03, 2006 2:15 PM
To: Castelnuovo, Richard M DATCP
Subject: More from Scott

Mr. Rude,

Thank you for responding to my email so quickly. I would be happy to make available any help or information the Task Force feels may be useful.

I would like to clarify a statement I made in my email. "The industry (not the state) needs to provide its farmers with a tool that will easily, efficiently and cost effectively monitor, educate and help manage the spreading of manure."

What I meant to say was; The industry (not just the state) needs to provide its farmers with a tool that will easily, efficiently and cost effectively monitor, educate and help manage the spreading of manure." The industry (farmers, manufacturers, associations etc...) will need to help and support the state with data collection and education.

Thanks again for you time,

Scott Carmody
Carmody Data Systems, Inc.
DeForest, WI. 53532
608-846-0234
www.carmodydata.com

-----Original Message-----
From: bdr@dairynet.com [mailto:bdr@dairynet.com]
Sent: Tuesday, January 03, 2006 8:28 AM
To: scott@carmodydata.com
Subject: Re: Manure Management Task Force

Thanks for your perspectives, Scott. The Task Force is winding down our work with our final report due in two weeks. I will share your email with appropriate DNR and DATCP staff, so they can be aware of information you might offer to help as we implement the Task Force recommendations.

Brian D. Rude
Director, External Relations
Dairyland Power Cooperative
Phone: 608-787-1320
Fax: 608-787-1281

<scott@carmodydat a.com>
01/02/2006 11:44 AM

To: <bdr@dairynet.com>
cc:
Subject: Manure Management Task Force

More from Scott
Please respond to

scott

Dear Mr. Rude,

I have recently read your comments from an article in Agri-View pertaining to a Manure Management Task Force. It seems apparent that a large majority of the farming community is practicing some type of successful manure spreading management program. It's unfortunate that the information used to define this issue focuses on the "black-eyes", but that's the only information available!

The farmers need to protect themselves, they need help and guidance on how to keep better records and be able to provide proof that they do use effective manure spreading techniques. The industry (not the state) needs to provide its farmers with a tool that will easily, efficiently and cost effectively monitor, educate and help manage the spreading of manure. If not, the farmers and the industry will shortly be looking at a water downed version of the Chapter NR 243 being applied to every farm in Wisconsin. The impact of a winter spreading band alone will have a dramatic impact on the farming community and its economics.

My company has been collecting disposal data for septic systems across the country for over 5 years. We have over 250,000 properties in our database and have tracked the spreading and disposal of almost a ½ billion gallons of septic waste, most of which is in Wisconsin. I think you would be amazed on how easy it would be to implement this tool. If nothing else we can offer some interesting information on the management practices of septic waste disposal here in Wisconsin. .

If you would like more information or would like to see a demonstration please give me a call.

Thank you for your time.

Scott Carmody
Carmody Data Systems, Inc.
DeForest, WI. 53532
608-846-0234
www.carmodydata.com

DNR - Chapter NR 243
http://folio.legis.state.wi.us/cgi-bin/om_isapi.dll?clientID=114884&infobase

=code.nfo&jump=ch.%20NR%20243

Brian D. Rude
Director, External Relations
Dairyland Power Cooperative

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Fax: 608-787-1281